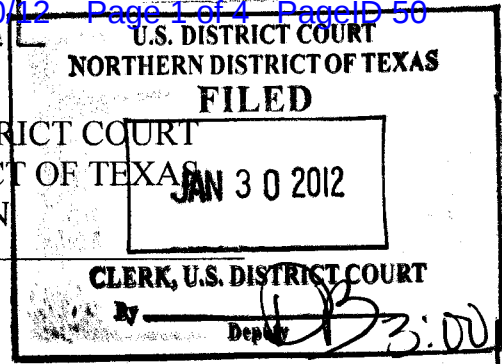


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



UNITED STATES OF AMERICA

v.

PRINCE CHIEMELA NWANKUDU

§
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§
§

Case No. 3:12-cr-0010-K

FACTUAL RESUME

Prince Chiemela Nwankudu, Jeffrey Grass (the defendant's attorney), and the United States of America agree that the following is true, correct, and can be used to support Nwankudu's plea of guilty to Count 1 of the Superseding Information.

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Count One of the Superseding Information, a violation of 18 U.S.C. § 371, that is, Conspiracy to Commit Mail Fraud, the government must prove each of the following elements beyond a reasonable doubt:

- First.* That the defendant and at least one other person made an agreement to commit the crime of Mail Fraud as charged in the Superseding Information;
- Second.* That the defendant knew the unlawful purpose of the agreement and joined in it willfully, that is, with the intent to further the unlawful purpose; and
- Third.* That one of the conspirators during the existence of the conspiracy knowingly committed at least one of the overt acts described in the Superseding Information in order to accomplish some object or purpose of the conspiracy.

Mail Fraud, a violation of 18 U.S.C. § 1341, is committed when the following four elements are met:

- First.* That the defendant knowingly created a scheme to defraud;
- Second.* That the defendant acted with the specific intent to defraud;
- Third.* That the defendant mailed something or caused another person to mail something through the United States Postal Service, or a private or commercial carrier, for the purpose of carrying out the scheme; and
- Fourth.* That the scheme to defraud employed false material representations.

STIPULATED FACTS

Beginning in or about March 2007, the exact date being unknown to the Grand Jury, and continuing thereafter until through at least March 2008, in the Dallas Division of the Northern District of Texas, and elsewhere, defendants **Prince Chiemela Nwankudu** and **Echezona Chuks Nwajagu** did knowingly and willfully combine, conspire, confederate, and agree with each other to commit the offense of mail fraud, in violation of 18 U.S.C. § 1341, by mailing matter and causing another person to mail matter through the United States Postal Service and private commercial interstate carriers, for the purpose of executing and attempting to execute a scheme and artifice to defraud and to obtain money and property from another, by means of materially false and fraudulent pretenses, representations, and promises.

It was part of the conspiracy and joint scheme and artifice to defraud that on or about December 5, 2007, **Nwankudu** knowingly caused a materially false and fraudulent loan application for a mortgage loan to purchase 2904 Fairway Drive, Cedar Hill, Texas, to be submitted to CitiMortgage. **Nwankudu** knew at the time the loan application was submitted that it contained material misstatements, including misstatements regarding the employment, income, assets, and intention to occupy the property of E.B., the loan

applicant, a person known to the Grand Jury. For instance, even though **Nwankudu** knew that E.B. was a retired member of the United States Army with a fixed income of approximately \$1,000 per month, **Nwankudu** stated on the loan application that E.B. worked as the Chief Operating Officer for C&B Financial Services making \$20,200 per month. In addition, even though **Nwankudu** knew that E.B.'s total assets were approximately \$14,000, **Nwankudu** stated that E.B. had a bank account having a cash value exceeding \$125,000. On or about December 5, 2007, as a result of the false statements on the loan application and other documents, CitiMortgage approved a mortgage loan in the amount of \$630,000 to fund E.B.'s purchase of 2904 Fairway Drive, Cedar Hill, Texas.

After the closing on the real estate transaction, as per the requirements of the lender and as common in the mortgage industry, LandAmerica mailed the closing documents to CitiMortgage via Federal Express.

----- NOTHING FURTHER ON THIS PAGE -----

On or about the date(s) identified in the Information, **Nwankudu** admits:

- That he and at least one other person made an agreement to commit the crime of mail fraud as charged in the Superseding Information;
- That he knew the unlawful purpose of the agreement and joined in it willfully, that is, with the intent to further the unlawful purpose;
- That during the existence of the conspiracy he knowingly committed at least one of the overt acts described in the Superseding Information in order to accomplish some object or purpose of the conspiracy.

The above facts are true and correct.

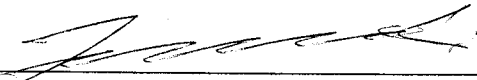
AGREED TO AND SIGNED this _____ day of _____, 2012.



J. NICHOLAS BUNCH
Assistant United States Attorney

01-27-2012

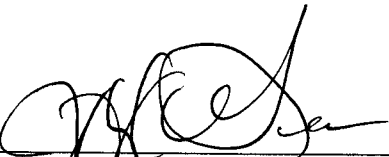
Date



PRINCE CHIEMELA NWANKUDU
Defendant

1-27-12

Date



JEFFREY GRASS
Attorney for Defendant

1-27-12

Date